

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STEVEN KINFORD,

Plaintiff,

vs.

SOCIAL SECURITY ADMINISTRATION,

Defendant.

3:12-cv-00181-RCJ-WGC

ORDER

Plaintiff Steven Kinford filed this action seeking reinstatement of his social security benefits when Defendant Social Security Administration (“SSA”) suspended those benefits under 42 U.S.C. § 402(x)(1)(A)(i) during Plaintiff’s incarceration. The Magistrate Judge’s Report and Recommendation (“R&R”) noted that Defendant had no discretion to continue paying the benefits, and Plaintiff had not exhausted his administrative remedies with the SSA, in any case. The Court adopted the R&R and dismissed with prejudice in 2012. Plaintiff filed a motion titled “Motion for Approval of a Rehabilitation Program” that the Court construed as a motion to reconsider under Rule 60(b)(6). The Court denied the motion because Plaintiff was still incarcerated. He identified no change in law that would permit, much less require, Defendant to reinstate the benefits he requests during his incarceration. Nor did he allege having exhausted

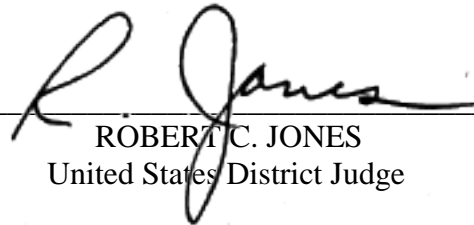
1 his remedies with the SSA pursuant to any such change in law before having filing the motion.
2 Plaintiff filed five similar motions, and the Court denied them because there was no indication
3 Plaintiff was no longer incarcerated. Plaintiff has now filed four additional motions: two to
4 reconsider, and two to appoint a guardian ad litem (counsel). The Court denies the motions.

5 **CONCLUSION**

6 IT IS HEREBY ORDERED that the Motions (ECF Nos. 18–21) are DENIED.

7 IT IS SO ORDERED.

8 DATED: This 8th day of March, 2016.

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11 ROBERT C. JONES
12 United States District Judge
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